

## **REMARKS/ARGUMENTS**

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 1-15 are in the application. The specification and claims 13 and 14 have been amended. No new matter has been added.

The Examiner objected to the specification for lacking proper headings. Applicant has added headings to the specification. The Examiner objected to the specification and rejected claims 13 and 14 for being unclear. Applicant has amended the specification to clarify that the spacers of different lengths are present in certain areas, and that the spacers each have the same length within each particular area. Claim 14 has also been amended accordingly. Claim 13 has been amended to delete "and/or" and replace it with "or".

The Examiner rejected claims 1, 3-7, 9 and 11-14 under 35 USC 102(b) as being anticipated by Roller and rejected claim 15 as being unpatentable under 35 USC 103 over Roller. Claim 2 is rejected over Roller in view of Woodward. Claims 8 and 10 are rejected over Roller in view of Maeda. Applicant respectfully traverses.

With reference to Figure 11 of US 6,186,270 (Roller), the Examiner states that Roller teaches

"a sound absorber .... comprising a molded part (7) made of thermoplastic material...., wherein a plurality of pin-shaped or spike-shaped spacers (3b) are formed on the molded part (7), wherein the molded part (7) has a plurality of recesses (4a) on the outside which each extend into a spacer (4)."

Applicant respectfully disagrees. Roller discloses a layered absorber for absorbing acoustical sound waves comprising a plurality of layers with at least one layer being spaced from another by spacers (3b). The spacers (3b) are spaced apart from each other between the layers such that gas-filled chambers are formed, and the chambers form resonance chambers (4). A multiple of parallel resonance chambers (4) of a variety of different dimensions of parallel resonance chambers are formed by varying at least one of the lateral dimensions of the parallel resonance chambers, the thickness of the walls of the parallel resonance chambers, the rigidity of the materials of the walls of the parallel resonance chambers, and the heights of the parallel resonance chambers in order to reach different sound absorptions in the respective absorption spectra (of. Abstract and Claim 1 of Roller).

Thus, in Figure 11 of Roller, reference number 3b does not denote "pin-shaped or spike-shaped spacers" but web-shaped spacers, i.e. partition walls forming several parallel resonance chambers (4) (of. also Claims 2 and 3).

Figure 11 of Roller is a schematic cross section. Please find enclosed Figure 11 of Roller together with an example of a corresponding plan view attached as Appendix A, wherein for the sake of clarity the layer 2 has been omitted. It is not possible to form a plurality of gas-filled resonance chambers (4) having different sound absorptions in the respective absorption spectra by deep-drawing pin-shaped or spike-shaped spacers in a foil made of polypropylene or the like.

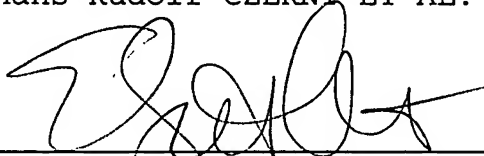
In the sound absorber according to the present invention, the pin-shaped or spike-shaped spacers (4) project into the hollow space (7) which corresponds to one single chamber; see for example Figs. 1 and 2 and associated description in the present application.

None of the references cited by the Examiner disclose a sound absorber as claimed in the above-identified application. In particular, none of the references disclose a sound absorber comprising a molded part made of thermoplastic material and

having a plurality of pin-shaped or spike-shaped spacers formed on the molded part.

Accordingly, Applicant submits that claims 1-15 are patentable over the cited references, taken either singly or in combination. Early allowance of the claims is respectfully requested.

Respectfully submitted,  
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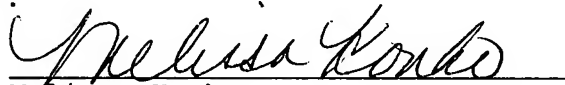
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Enclosures:

Appendix A

Copy of Petition for a three month extension of time.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 13, 2007.

  
Melissa Konko